



MINUTES OF THE MILLVILLE TOWN COUNCIL MEETING

October 11, 2022 @ 7:00 P.M.

1. Call to Order:

Mayor Belinko called the meeting to order at 7:00 p.m. with the **Pledge of Allegiance**. **Present:** Mayor Ronald Belinko, Council Members Barbara Ryer, Sharon Brienza, Pete Michel, and Robert Wisgirda. Town Manager Debbie Botchie, Administrative Assistant Eileen Scerra and Town Clerk Wendy Mardini were also present.

2. Approval of Town Council Meeting Minutes:

- A. July 12, 2022
- B. August 9, 2022
- C. August 23, 2022

Council Member Ryer made a motion to approve the meeting minutes from July 12, 2022; August 9, 2022; and August 23, 2022. The motion was seconded by Council Member Brienza. The motion carried 5-0.

3. Financial Reports/August & September - Treasurer Barb Ryer

Report was received and entered by Treasurer Barbara Ryer.

August 2022:

General Fund Revenue \$257,059.00
General Fund Expenditures \$88,644.00
Restricted Revenue \$232,301.00
Restricted Expense \$26,155.00

September 2022:

General Fund Revenue \$160,922.00
General Fund Expenditures \$87,875.00
Restricted Revenue \$230,333.00
Restricted Expense \$42,225.00

4. Administrative Matters for August/September 2022 - Deborah Botchie

Report was entered and received by Deborah Botchie.

Ms. Botchie introduced a drone flyover video presented by Andrew Lyons of GMB Engineering to point out the building progress of Millville by the Sea communities Village 5A, Peninsula Village, Schooner Cove, and Hudson's Reserve.

5. **Citizens' Privilege** - Carlos Melendez, 17057 Bellevue Court, Millville, DE

Referring to the International Building Code about a platform when you stepped out of a house where a sliding glass door would be. Mr. Melendez asked Mr. Eric Evans if the Code would be changing to require the same. Mr. Evans addressed the situation by stating that if it was not your primary exit from the house, a landing was not required. Mr. Melendez inquired about changing the ordinance and Mr. Thompson advised him of the steps required.

6. **New Business**

A. Secretary Robert Wisgirda stated the Public Hearing Notice was posted in the legal section of the September 23, 2022, issue of the Coastal Point, Town's website, and Town bulletin board.

**Mayor Belinko opened the Public Hearing at 7:15 p.m.
Town Manager stated that she had not received any written or oral comments
regarding the Public Hearing.**

Council Members Sharon Brienza and Bob Wisgirda stepped off the dais to recuse themselves.

B. Final subdivision site plan submitted by Land Tech Land Planning, LLC on behalf of ASF MBTS, LLC, for Millville by the Sea Village 4; 144-lot subdivision. TMP 134-16.00-19.01, 19.02, 20.00, 20.01, Zoned Master Planned Community.

Jeff Clark of Land Tech Land Planning began the presentation. Mr. Clark explained that the Village 4 site is situated on Substation Road and shares a four-way intersection with the Peninsula Village. Village 4 proposes 63 single family homes, 46 Duplex homes and 35 townhomes for a total density of 144 homes. This is located just off Substation Road along the edge of a proposed pocket park, there will be off-street parking for residents and their guests. It will be buffered from Substation Road with an elevated berm and specified plantings. There will be a walking trail around the existing pond, larger mail kiosks, a pollinator garden, tree rings will be used for the new tree plantings, and a bench at the fishing pier.

Andrew Lyons commented that the submission meets with all the development standards. Council Members took turns commenting and all agreed that they were happy with the final plans of Village 4.

Mr. Carlos Melendez, 17057 Bellevue Court, Millville, DE had a question as to the location of where the pollinator garden would be located, Mr. Evans pointed it out on the map.

Mayor Belinko closed the Public Hearing at 7:31 p.m.

C. Discuss, consider and possible vote on the Millville by the Sea Village 4 Final Subdivision application.

Council Member Barbara Ryer made a motion to approve Millville by the Sea Village 4. The motion was seconded by Council Member Pete Michel.

Roll call was requested by Mayor Belinko:

<i>Bob Wisgirda</i>	<i>Abstain</i>
<i>Sharon Brienza</i>	<i>Abstain</i>
<i>Ronald Belinko</i>	<i>Yes</i>
<i>Barbara Ryer</i>	<i>Yes</i>
<i>Pete Michel</i>	<i>Yes</i>

The motion carried 3-0-2.

D. Discussion on the possibility of changing the time of the Town Council Monthly Meetings - Treasurer Barb Ryer

Mayor Belinko stated that according to our Charter, times and meetings are established at the organizational meeting in March, so there is plenty of time to discuss and examine the ramifications of change. Ms. Ryer discussed the reasons why a change of meeting time to the morning would be beneficial to the residents, pointing out that people have more energy in the morning, people do not have to drive home in the dark, and the staff does not have to leave work and come back. Also pointing out that Ocean View changed their time, ultimately leaving the decision to the Town Manager.

Comments were made by Ms. Botchie being in favor of the time change to possibly 2:00 or 3:00 p.m. in the afternoon. Ms. Botchie pointed out that in the last eighteen meetings, there were only 54 people who attended between in person and online.

Mayor Belinko stated that he does not agree with the time change. Pointing out that people who may want to run for a council position may not be able to if the meetings were held during the day because they may work during the day, severely limiting who can run for council. The fact that most council members ran knowing that the meetings were in the evening and that worked with their daytime schedules, it is possible that some council members would have to resign. Also pointing out that the Council must be mindful of the availability of our Town Solicitor, Seth Thompson, Esq., Andrew Lyons of GMB, Eric Evans taking away time for his inspections, etc. He also said that this gives the appearance of not being transparent. He suggested a survey to see what the residents want.

D. Discuss, consider and possible vote on “Project Clean-up” in Millville. - Mayor Ron Belinko

Mayor Belinko introduced the topic. Council Member Michel started by giving some details as to what Mr. Dave Moeller wants to do with this project. Specifying what

supplies are needed to get this project going. Mr. Moeller would be organizing the program; it will be volunteer, and the Town will not be managing same. Council members were positive about this program. Mr. Michel said that it would take approximately \$300.00 to get the project started.

Council Member Barbara Ryer made a motion to go forward with “Project Clean-up” in Millville. The motion was seconded by Council Member Pete Michel. Motion carried 5-0.

F. Discuss, consider and possible vote on ordinance 22-04. This ordinance is to request an amendment to the Millville Town Code relating to Chapter 48, entitled “Building Construction.”

Mr. Evans started by saying that this Ordinance would be adopting the IBC IRC 2021 Code, putting us in line with Sussex County which is going into effect on January 1, 2023.

Council Member Barbara Ryer made a motion to amend and accept Ordinance 22-04 of the Millville Town Code relating to Chapter 48, entitled “Building Construction.” The motion was seconded by Council Member Pete Michel. Motion carried 5-0.

G. Discuss, consider and possible vote on ordinance 22-05. This ordinance is to request an amendment to the Millville Town Code relating to article V of Chapter 11, entitled “Property Maintenance.”

Eric Evans stated that this amendment also brings the Town of Millville up to date in the Sussex County Code.

Council Member Barbara Ryer made a motion to amend and accept Ordinance 22-05 of the Millville Town Code relating to Article V of Chapter 11 entitled “Property Maintenance.” The motion was seconded by Council Member Pete Michel. Motion carried 5-0.

I. Discuss, consider and possible vote on bid number 23-01 to construct a pavilion at Evans Park- Eric Evans Code and Building Official.

Eric Evans stated that we did accept bids for the Evans Park Pavilion. Cornerstone Construction Group had the best package at the price of \$135,750.00. He showed the black and white version of the proposed Pavilion and suggested the Town go ahead with the construction which would hopefully be done by April or May of 2023.

Council Member Barbara Ryer made a motion to accept the bid number 23-01 to construct a pavilion at Evans Park. The motion was seconded by Council Member Sharon Brienza. Motion carried 5-0.

J. Discuss, consider and possible vote on appreciation gathering to determine date, time and allocate funds for Staff, Town Council, P&Z and Parks & Rec.

Ms. Ryer suggested tabling the discussion until we get some more estimates on the cost and total number of attendees. Mayor Belinko agreed to discuss it in January or February and vote on a budget in November or December.

Council Member Barbara Ryer made a motion to table the vote on the appreciation gathering. The motion was seconded by Mayor Belinko. Motion carried 5-0.

Roll call was requested by Mayor Belinko:

<i>Bob Wisgirda</i>	<i>Yes</i>
<i>Sharon Brienza</i>	<i>Yes</i>
<i>Ronald Belinko</i>	<i>Yes</i>
<i>Barbara Ryer</i>	<i>Yes</i>
<i>Pete Michel</i>	<i>Yes</i>

The motion carried 5-0.

7. **Citizens' Privilege** - Dave Moeller, 30431 Blue Heron Drive, Millville, DE. Mr. Moeller agreed with the Mayor regarding the time change for the Council meetings. He agreed with the fact that if you have the meetings during the day, the public who work will not be able to attend. He wanted to send appreciation to the Council for passing the cleanup project. He also wanted to suggest increasing the fine from \$25.00 to \$100.00. Mr. Thompson stated that the Town has a \$99.00 fine now.

Mr. Moeller voiced concern on the homeless population prevention in Millville. Mayor Belinko said that the Town will stay on top of it.

5. **Announcement of next meeting** - tbd

6. **Adjournment**
A motion was made by Council Member Brienza, seconded by Council Member Ryer, to adjourn the meeting at 8:25 p.m. The motion carried 5-0.

Respectfully submitted,

Wendy Mardini
Town Clerk